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AMENDMENTS TO THE CLAIMS

1. (previously presented) A method executed in a computer system for monitoring a utilization condition of contents, wherein said computer system is provided on a network to which a user terminal is allowed to connect, said user terminal carrying out information processing by utilizing said contents, comprising the steps of:

equipping information gathering means on the network;

registering authentication information on a database;

embedding digital information in said contents, said digital information itself causing said user terminal to automatically transmit a contents utilizing history indicating a utilizing condition of the contents to said information gathering means at a predetermined timing;

distributing said contents to said user terminal, wherein said user terminal includes a memory medium in which authentication information identical to said registered authentication information is included, and wherein said terminal is authenticated by said authentication information in the memory medium;

gathering, according to the digital information included in the distributed contents, said contents utilizing history via said information gathering means which is automatically transmitted from the user terminal;

recording the gathered contents utilizing history, in correspondence with said registered authentication information, in the database; and

creating utilizing information indicating how much the particular content is utilized, based on recorded data in the database.

2. (canceled)

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3. (previously presented) A method for monitoring a utilization condition of contents according to claim 1, further comprising the step of authenticating whether said user terminal and said contents utilized in said user terminal are proper or not, based on registered history data of transaction indicating that said contents are properly transacted, and also based on registered user terminal identification data for authentication.

4. (previously presented) A method for monitoring a utilization condition of contents according to claim 3, wherein said authenticating step is executed on said user terminal to which said recording medium is loaded, by recording said user terminal identification data to said data recording area of the recording medium and distributing said history data of transaction along with said contents.

5. (previously presented) A method for monitoring a utilization condition of contents according to claim 1, wherein said user terminal transmits said contents utilizing history to said information gathering means, on condition that the number of times of utilizing the same content by the same user exceeds a predetermined number.

6. (currently amended) A system for monitoring a utilization condition of contents, wherein said system is provided on a network to which a user terminal and a computer are allowed to connect and includes information gathering means having a mechanism for gathering information from the network, said user terminal carrying out information processing by utilizing said contents, said computer distributing the contents to said user terminal and comprising:

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register means for registering authentication information on a database;

issuing means for issuing authentication information identical to said registered authentication information to a memory medium which is allowed to connect to the user terminal;

embedding means for embedding digital information in said contents, said digital information ~~causing~~ triggering said user terminal to automatically transmit a contents utilizing history indicating a utilizing condition of the contents to said information gathering means at a predetermined timing;

distributing means for distributing said contents to said user terminal wherein said user terminal includes a memory medium in which authentication data identical to said registered authentication information is included, and wherein said user terminal is authenticated by said authentication information in the memory medium;

recording means for recording the contents utilizing history in correspondence with the registered authentication information, said recording means gathering the contents utilizing the contents utilizing history via the information gathering means on the network, said contents utilizing history being automatically transmitted from the user terminal according to the digital information included in the distributed contents; and

creating means for creating utilizing information indicating how much the particular content is utilized, based on recorded data in the database.

7-10. (canceled)

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11. (currently amended) A computer system connectable to a network with which a user terminal for executing information processing by utilizing contents is allowed to connect, said computer system including a computer program for operating said computer system as a utilizing condition monitoring system for monitoring utilizing condition of the contents by said user terminal, said computer system including an information gathering means for gathering information from said network, said computer program causing said utilizing condition monitoring system to comprise:

register means for registering authentication information on a database;

issuing means for issuing authentication information identical to said registered authentication information to a memory medium which is allowed to connect to the user terminal;

embedding means for embedding digital information in said contents, said digital information causing triggering said user terminal to automatically transmit a contents utilizing history indicating a utilizing condition of the contents to said information gathering means at a predetermined timing;

distributing means for distributing said contents to said user terminal wherein said user terminal includes a memory medium in which authentication data identical to said registered authentication information is included, and wherein said user terminal is authenticated by said authentication information in the memory medium;

recording means for recording the contents utilizing history in correspondence with the registered authentication information, said recording means gathering the contents utilizing the contents utilizing history via the information gathering means on the network, said contents

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utilizing history being automatically transmitted from the user terminal according to the digital information included in the distributed contents; and

creating means for creating utilizing information indicating how much the particular content is utilized, based on recorded data in the database.

12-14. (canceled)

15. (currently amended) A recording medium readable by a user terminal which executes information processing by utilizing contents and is accessible to information gathering means equipped on a network, said recording medium comprising:

a contents recording area in which said contents are recorded and a digital information recording area in which digital information associated with said contents is recorded,

wherein said digital information is extracted from said contents by said user terminal for recording in the digital information recording area and ~~causes~~triggers said user terminal to store a contents utilizing history indicating a utilizing condition of the contents in a given recording area of the recording medium, and to read said stored contents utilizing history so as to transmit according to said digital information said contents utilizing history to said information gathering means at a predetermined timing while said user terminal is connected with said network.

16-17. (canceled)

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18. (previously presented) The method for monitoring a utilization condition of contents according to claim 1, wherein said digital information comprises data and a function for recalling a function of the user terminal or a function of a device connected to the user terminal.

19. (previously presented) The method for monitoring a utilization condition of contents according to claim 1, wherein said user terminal transmits said contents utilizing history to said information gathering means, on condition that a number of times of utilizing a same content by a same user exceeds a predetermined number.

20. (canceled)